

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE IVAN LOPEZ,	Plaintiff,)
v.)
) 2:08-cv-1342
DAVID GRAINEY, Major, VICTOR SANTOYO,)	
Lieutenant, PAUL PALYA, Unit Manager, THOMAS)	
JACKSON, Deputy Superintendent, DANIEL DAVIS,)	
Assist. Superintendent, DIANE THOMAS, Administrator,)	
LOUIS FOLINO, Superintendent of S.C.I. Greene, M.S.)	
GUYTON, Unit Manager, CINDY WATSON, Chief)	
Grievance Coordinator, JEFFREY A. BEARD, Secretary of)	
D.O.C., DAVID NOVITSKY, Director/Office of Professional)	
Responsibility, MARY REESE, Administrator, defendants in)	
their individual and official capacity, IRMA VIHAL,)	
Registered Nurse, DR. BYUNGHAK JIN, Physician, DR.)	
WINHI PARK, Physician, and MICHELLE LUCAS,)	
Physicians Assistant,)	
Defendants.)	

ORDER OF COURT

AND NOW, this 3rd day of March, 2009, the Court hereby **VACATES** the Order of Court dated March 2, 2009 (Document No. 28) because same was improvidently granted as the Court had not previously reviewed the Order on Motion for Preliminary Injunction (Document No. 23.)

Upon consideration of Plaintiff's **OBJECTION TO THE REPORT AND OPINION OF MAGISTRATE LISA PUPO LENIHAN, DATED DEC. 17TH, 08** (Document No. 27), and it appearing that said Order of the Magistrate Judge is not clearly erroneous, contrary to law, or an abuse of discretion, as Plaintiff has failed to meet the requirements for a preliminary injunction, specifically (i) the likelihood of success on the merits and (ii) failure to show irreparable harm necessary to justify such extraordinary relief,

Now therefore, Plaintiff's Objection is **DENIED** and **DISMISSED**.

So **ORDERED** this 3rd day of March, 2009.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

cc: GEORGE IVAN LOPEZ
CZ-3198
175 Progress Drive
SCI Greene
Waynesburg, PA 15370

DAVID GRAINEY, Major
VICTOR SANTOYO, Lieutenant
PAUL PALYA, Unit Manager
THOMAS JACKSON, Deputy Superintendent
DANIEL DAVIS, Assist. Superintendent
DIANE THOMAS, Administrator
LOUIS FOLINO, Superintendent of S.C.I. Greene
M.S. GUYTON, Unit Manager
CINDY WATSON, Chief Grievance Coordinator
JEFFREY A. BEARD, Secretary of D.O.C.
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IRMA VIHAL, Registered Nurse
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